

**COPY OF PAPERS
ORIGINALLY FILED**

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Recd 8/5

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/071,166
		Filing Date	02/08/2002
		First Named Inventor	Richard E. Smalley
		Group Art Unit	1754
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission	23	Attorney Docket Number	11321-P021US

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Corrected Filing Receipt Postal Receipt Card
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Kelly K. Kordzik
Signature	
Date	June 11, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

June 11, 2002

Typed or printed name	Gracie Solis		
Signature		Date	06/11/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

JUN 17 2002

JUN 17 2002

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known

Application Number	10/071,166
Filing Date	February 8, 2002
First Named Inventor	Richard E. Smalley
Examiner Name	Not yet assigned
Group Art Unit	1754
Attorney Docket No.	11321-P021US

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
 Deposit Account Number **23-2426**
 Deposit Account Name **Winstead Sechrest & Minick**
 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:
 Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	-20** =	Extra Claims	Fee from below	Fee Paid
Independent Claims	- 3** =			
Multiple Dependent				

Large Entity Fee Description

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Kelly K. Kordzik	Registration No. (Attorney/Agent)	36,571	Telephone	512.370.2851
Signature				Date	06/11/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



ATTORNEY DOCKET NO.

11321-P021US

U.S. SERIAL NO.

10/071,166

1

JUN 17 2002

PATENT & TRADEMARK OFFICE
U.S.P.T.O.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Smalley, et al.

Serial No.: 10/071,166

Filed: February 8, 2002

Confirmation No: 8622

Group Art Unit: 1754

Examiner: not yet assigned

For: Gas-Phase Process for Purifying Single-Wall Carbon
Nanotubes and Compositions Thereof

CERTIFICATE OF MAILING

Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Office of Initial Patent Examination Customer Service Center, Washington, D.C. 20231, on the date indicated below.


Signature

Grace S. Lee

Printed

June 11, 2002

Date

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.
2. There is an error in that the following is:

X incorrectly entered:

- a. Please add the following two inventors:

Wilbur Carter Kittrell

Zhenning Gu

This correction of the inventors is filed under 37 CFR 1.48(f), with the filing of the first executed Oath or Declaration under 27 CFR 1.63. (MPEP 201.03)

ATTORNEY DOCKET NO.
11321-P021US

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U.S. SERIAL NO.
10/071,166

2

- omitted
- Applicant's name
- Applicant's address
- Title
- Filing Date
- Serial Number
- Foreign/PCT Application Reference
- Other

In that the filing receipt should read as follows: _____

3. It is believed that no fees are due. However, if any fee is due by this paper, the Director is hereby authorized to charge any fee due to Deposit Account No. 23-2426 of Winstead Sechrest & Minick P.C.

Respectfully submitted,

Kelly K. Kordzik, Reg. No. 36,571
WINSTEAD SECHREST & MINICK, P.C.
P.O. Box 50784
1201 Main Street
Dallas, TX 75250-0784
Tel. No. 512.370.2851

Date: June 11, 2002

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11321-P021US 06/11/2002



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JUN 17 2002
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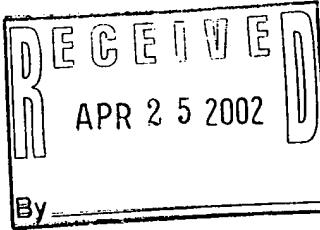
Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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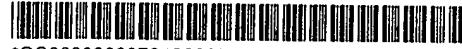
APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/071,166	02/08/2002	1754	1892	11321-P021US	3	70	6

Ross Spencer Garsson
Winstead Sechrest & Minick P.C.
P.O. Box 50784
1201 Main Street
Dallas, TX 75250-0784



CONFIRMATION NO. 8622

FILING RECEIPT



OC000000007849606

DOCKETED

4/28/02
AMA

Date Mailed: 04/11/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Richard E. Smalley, Houston, TX;
Robert H. Hauge, Houston, TX;
Wan-Ting Chiang, Ponca City, OK;
Yuemei Yang, Houston, TX;
Kenneth A. Smith, Spring, TX;

Wilbur Carter Kittrell, Houston, TX;
Zhenning Gu, Houston, TX

Assignment For Published Patent Application

William Marsh Rice University, Houston, TX;
Carbon Nanotechnologies, Inc., Houston, TX;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/268,228 02/12/2001
AND CLAIMS BENEFIT OF 60/284,419 04/17/2001

Foreign Applications

If Required, Foreign Filing License Granted 04/11/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

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H 3
PATENT
10/071,166

ATTORNEY DOCKET NO.
11821-P021US

JUN 17 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Smalley, et al.
Serial No: 10/071,166
Filing Date: February 8, 2002
Group Art Unit: 1754
Confirmation No: 8622

CERTIFICATE OF MAILING

I hereby certify that this correspondence is addressed to Box MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231, and is being deposited with the U.S. Postal Service with sufficient postage as first class mail on Jun 11, 2002.


Signature

Gracie Solis
Printed

Title: GAS-PHASE PROCESS FOR PURIFYING
SINGLE-WALL CARBON NANOTUBES AND COMPOSITIONS THEREOF

Assistant Commissioner for Patents
Box: MISSING PARTS
Washington, D.C. 20231

Dear Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

In response to the Notice to File Missing Parts of Application *Filing Date Granted*, dated April 11, 2002, enclosed are the following documents:

1. Inventor Declaration (8 sheets);
2. Power of Attorney or Authorization of Agent from Inventors (7 sheets)
3. Power of Attorney or Authorization of Agent from assignee William Marsh Rice

University, along with a Statement Under 37 CFR 3.73(b) (3 sheets);

4. Power of Attorney or Authorization of Agent from assignee Carbon Nanotechnologies, Inc., along with a Statement Under 37 CFR 3.73(b) (2 sheets);
5. A check in the amount of \$130.00 to cover the fees for Missing Parts;

ATTORNEY DOCKET NO.
11321-P021US

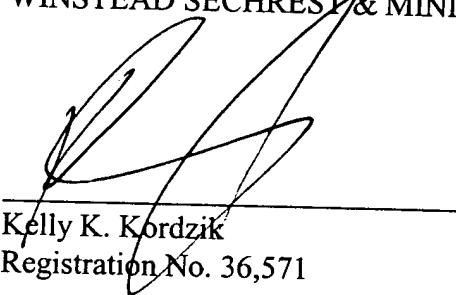
PATENT
10/071,166

6. A copy of the Notice to File Missing Parts of Application;
7. Request for Corrected Filing Receipt; and
8. Postal Receipt Card.

It is believed that no additional fee is due. If this is incorrect, the Director is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 23-2426.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.



Kelly K. Kordzik
Registration No. 36,571

Date: June 11, 2002

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11321-P021US 06/11/2002



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/071,166	02/08/2002	Richard E. Smalley	11321-P021US

CONFIRMATION NO. 8622

FORMALITIES LETTER



OC00000007849607

Ross Spencer Garsson
Winstead Sechrest & Minick P.C.
P.O. Box 50784
1201 Main Street
Dallas, TX 75250-0784

Date Mailed: 04/11/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

S.B

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/21/2002 MAHMEDI 00000135 10071166

01 FC:105

130.00 DP